

**AMENDMENT TO H.R. 2356, AS REPORTED**  
**(SHAYS SUBSTITUTE)**

**OFFERED BY \_\_\_\_\_**

Add at the end of title III the following new section:

**1 SEC. 320. MODIFICATION OF INDIVIDUAL CONTRIBUTION**  
**2 LIMITS FOR HOUSE CANDIDATES IN RE-**  
**3 SPONSE TO EXPENDITURES FROM PERSONAL**  
**4 FUNDS.**

**5 (a) INCREASED LIMITS.**—Title III of the Federal  
**6 Election Campaign Act of 1971 (2 U.S.C. 431 et seq.)**  
**7 is amended by inserting after section 315 the following**  
**8 new section:**

**9 “MODIFICATION OF CERTAIN LIMITS FOR HOUSE CAN-**  
**10 DIDATES IN RESPONSE TO PERSONAL FUND EX-**  
**11 PENDITURES OF OPPONENTS**

**12 “SEC. 315A. (a) AVAILABILITY OF INCREASED**  
**13 LIMIT.—**

**14 “(1) IN GENERAL.**—Subject to paragraph (3),  
**15 if the opposition personal funds amount with respect**  
**16 to a candidate for election to the office of Represent-**  
**17 ative in, or Delegate or Resident Commissioner to,**  
**18 the Congress exceeds \$350,000—**

**19 “(A) the limit under subsection (a)(1)(A)**  
**20 with respect to the candidate shall be increased**  
**21 by 300 percent;**

1           “(B) the limit under subsection (a)(3)  
2           shall not apply with respect to any contribution  
3           made with respect to the candidate if the con-  
4           tribution is made under the increased limit al-  
5           lowed under subparagraph (A) during a period  
6           in which the candidate may accept such a con-  
7           tribution; and

8           “(C) the limits under subsection (d) with  
9           respect to any expenditure by a State or na-  
10          tional committee of a political party on behalf  
11          of the candidate shall not apply.

12          “(2) DETERMINATION OF OPPOSITION PER-  
13          SONAL FUNDS AMOUNT.—

14               “(A) IN GENERAL.—The opposition per-  
15               sonal funds amount is an amount equal to the  
16               excess (if any) of—

17                   “(i) the greatest aggregate amount of  
18                   expenditures from personal funds (as de-  
19                   fined in subsection (b)(1)) that an oppos-  
20                   ing candidate in the same election makes;  
21                   over

22                   “(ii) the aggregate amount of expendi-  
23                   tures from personal funds made by the  
24                   candidate with respect to the election.

1                   “(B) SPECIAL RULE FOR CANDIDATE’S  
2 CAMPAIGN FUNDS.—

3                   “(i) IN GENERAL.—For purposes of  
4 determining the aggregate amount of ex-  
5 penditures from personal funds under sub-  
6 paragraph (A), such amount shall include  
7 the gross receipts advantage of the can-  
8 didate’s authorized committee.

9                   “(ii) GROSS RECEIPTS ADVANTAGE.—  
10 For purposes of clause (i), the term ‘gross  
11 receipts advantage’ means the excess, if  
12 any, of—

13                   “(I) the aggregate amount of 50  
14 percent of gross receipts of a can-  
15 didate’s authorized committee during  
16 any election cycle (not including con-  
17 tributions from personal funds of the  
18 candidate) that may be expended in  
19 connection with the election, as deter-  
20 mined on June 30 and December 31  
21 of the year preceding the year in  
22 which a general election is held, over

23                   “(II) the aggregate amount of 50  
24 percent of gross receipts of the oppos-  
25 ing candidate’s authorized committee

1 during any election cycle (not includ-  
2 ing contributions from personal funds  
3 of the candidate) that may be ex-  
4 pended in connection with the elec-  
5 tion, as determined on June 30 and  
6 December 31 of the year preceding  
7 the year in which a general election is  
8 held.

9 “(3) TIME TO ACCEPT CONTRIBUTIONS UNDER  
10 INCREASED LIMIT.—

11 “(A) IN GENERAL.—Subject to subpara-  
12 graph (B), a candidate and the candidate’s au-  
13 thorized committee shall not accept any con-  
14 tribution, and a party committee shall not make  
15 any expenditure, under the increased limit  
16 under paragraph (1)—

17 “(i) until the candidate has received  
18 notification of the opposition personal  
19 funds amount under subsection (b)(1); and

20 “(ii) to the extent that such contribu-  
21 tion, when added to the aggregate amount  
22 of contributions previously accepted and  
23 party expenditures previously made under  
24 the increased limits under this subsection

1 for the election cycle, exceeds 100 percent  
2 of the opposition personal funds amount.

3 “(B) EFFECT OF WITHDRAWAL OF AN OP-  
4 POSING CANDIDATE.—A candidate and a can-  
5 didate’s authorized committee shall not accept  
6 any contribution and a party shall not make  
7 any expenditure under the increased limit after  
8 the date on which an opposing candidate ceases  
9 to be a candidate to the extent that the amount  
10 of such increased limit is attributable to such  
11 an opposing candidate.

12 “(4) DISPOSAL OF EXCESS CONTRIBUTIONS.—

13 “(A) IN GENERAL.—The aggregate  
14 amount of contributions accepted by a can-  
15 didate or a candidate’s authorized committee  
16 under the increased limit under paragraph (1)  
17 and not otherwise expended in connection with  
18 the election with respect to which such con-  
19 tributions relate shall, not later than 50 days  
20 after the date of such election, be used in the  
21 manner described in subparagraph (B).

22 “(B) RETURN TO CONTRIBUTORS.—A can-  
23 didate or a candidate’s authorized committee  
24 shall return the excess contribution to the per-  
25 son who made the contribution.

1       “(b) NOTIFICATION OF EXPENDITURES FROM PER-  
2       SONAL FUNDS.—

3       “(1) IN GENERAL.—

4               “(A) DEFINITION OF EXPENDITURE FROM  
5       PERSONAL FUNDS.—In this paragraph, the  
6       term ‘expenditure from personal funds’  
7       means—

8               “(i) an expenditure made by a can-  
9       didate using personal funds; and

10              “(ii) a contribution or loan made by a  
11       candidate using personal funds or a loan  
12       secured using such funds to the can-  
13       didate’s authorized committee.

14              “(B) DECLARATION OF INTENT.—Not  
15       later than the date that is 15 days after the  
16       date on which an individual becomes a can-  
17       didate for the office of Representative in, or  
18       Delegate or Resident Commissioner to, the Con-  
19       gress, the candidate shall file a declaration stat-  
20       ing the total amount of expenditures from per-  
21       sonal funds that the candidate intends to make,  
22       or to obligate to make, with respect to the elec-  
23       tion that will exceed \$350,000.

24              “(C) INITIAL NOTIFICATION.—Not later  
25       than 24 hours after a candidate described in

1           subparagraph (B) makes or obligates to make  
2           an aggregate amount of expenditures from per-  
3           sonal funds in excess of \$350,000 in connection  
4           with any election, the candidate shall file a noti-  
5           fication.

6           “(D) ADDITIONAL NOTIFICATION.—After a  
7           candidate files an initial notification under sub-  
8           paragraph (C), the candidate shall file an addi-  
9           tional notification each time expenditures from  
10          personal funds are made or obligated to be  
11          made in an aggregate amount that exceeds  
12          \$10,000. Such notification shall be filed not  
13          later than 24 hours after the expenditure is  
14          made.

15          “(E) CONTENTS.—A notification under  
16          subparagraph (C) or (D) shall include—

17                  “(i) the name of the candidate and  
18                  the office sought by the candidate;

19                  “(ii) the date and amount of each ex-  
20                  penditure; and

21                  “(iii) the total amount of expenditures  
22                  from personal funds that the candidate has  
23                  made, or obligated to make, with respect to  
24                  an election as of the date of the expendi-  
25                  ture that is the subject of the notification.

1                   “(F) PLACE OF FILING.—Each declaration  
2                   or notification required to be filed by a can-  
3                   didate under subparagraph (C), (D), or (E)  
4                   shall be filed with—

5                   “(i) the Commission; and

6                   “(ii) each candidate in the same elec-  
7                   tion and the national party of each such  
8                   candidate.

9                   “(2) NOTIFICATION OF DISPOSAL OF EXCESS  
10                  CONTRIBUTIONS.—In the next regularly scheduled  
11                  report after the date of the election for which a can-  
12                  didate seeks nomination for election to, or election  
13                  to, Federal office, the candidate or the candidate’s  
14                  authorized committee shall submit to the Commis-  
15                  sion a report indicating the source and amount of  
16                  any excess contributions (as determined under sub-  
17                  section (a)) and the manner in which the candidate  
18                  or the candidate’s authorized committee used such  
19                  funds.

20                  “(3) ENFORCEMENT.—For provisions providing  
21                  for the enforcement of the reporting requirements  
22                  under this subsection, see section 309.”.

23                  (b) CONFORMING AMENDMENT.—Section 315(a)(1)  
24                  of the Federal Election Campaign Act of 1971 (2 U.S.C.  
25                  441a), as amended by section 304(a), is amended by strik-



1 ing “subsection (i),” and inserting “subsection (i) and sec-  
2 tion 315A,”.